

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

TOMMY BROWN,

Defendant.

15 Cr. 607 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

The Probation Department has submitted an additional report, dated May 4, 2023, alleging further violations of supervised release committed by Defendant Tommy Brown (the “Second Amended Violation Report”). In light of that report, the Court has scheduled a conference in this case for May 9, 2023, at 2:30 p.m., in Courtroom 12D of the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York.

At that conference, the Court intends to arraign Mr. Brown on the sixteen specifications contained in the Second Amended Violation Report. In addition, the Court plans to address whether Mr. Brown should be detained pending further proceedings. *See* Fed. R. Crim. P. 32.1(a)(6); *see also* 18 U.S.C. § 3143(a)(1). The parties should be prepared to discuss both the danger to the community and the risk of flight prongs of the analysis, although the Court anticipates focusing on whether there is clear or convincing evidence that Mr. Brown is not likely to pose a danger to the safety of any other person or the community. To that end, the parties also should be prepared to update the Court on the status of (1) Mr. Brown’s pending criminal case in New York Criminal Court under docket number CR-000942-23NY in connection with his December 30, 2022

arrest in Manhattan¹; (2) Mr. Brown's pending criminal case in Stamford Superior Court in connection with his arrest on February 21, 2023 on I-95 in Stamford, Connecticut; and (3) Mr. Brown's most recent arrest on April 27, 2023 in the Bronx. In assessing whether remand is appropriate, the Court also expects to inquire as to the parties' understanding of the strength of the evidence in these cases, to the extent Mr. Brown's counsel wishes to address that issue.

SO ORDERED.

Dated: May 6, 2023
New York, New York



JOHN P. CRONAN
United States District Judge

¹ The Court understands from the Second Amended Report that a court appearance is scheduled for this matter also on May 9, 2023. The Court therefore expects an update from Mr. Brown's counsel as to his understanding of what transpired at that appearance.